

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

| | | |
|--------------------------|---|-------------------------|
| ERNEST PIPPIN |) | |
| |) | CV. NO. 3:07-CV-613-MHT |
| v. |) | CR. NO. 3:06-CR-150-MHT |
| |) | |
| UNITED STATES OF AMERICA |) | |

GOVERNMENT'S MOTION TO EXTEND TIME TO RESPOND

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama and, in response to the court order issued October 3, 2007, respectfully requests that the government be granted additional time to comply with the Court's Order.

The government has filed two (2) previous requests for extension of time to file its response. Said motions have both been granted. Each of the previous motion contained the same reasoning and rationale for the extension as does this motion: that the government is in need of transcripts of hearings in the case to be able to fully address the concerns raised by Petitioner in his petition, to include unconstitutional acts by the district judge at sentencing . To date, the government has not received a transcript of the sentencing hearing and does not expect to receive said transcript within 30 days from the filing of this motion due, on information and belief, to previous transcript requests made of Court Reporter Mitchell Reisner. Therefore, the government requests an extension of time of sixty (60) days to complete its response.

Respectfully submitted this 2nd day of October, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I, Susan R. Redmond, Assistant United States Attorney, hereby certify that on November 15, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and have served a copy of the foregoing on Ernest Pippin, prisoner number 11970-002, FMC - Ashland, Box 6001, Ashland, KY 41105, by depositing a copy of same in the United States mail, first class, postage prepaid, and properly addressed to him on this the 15th day of November, 2007.

LEURA G. CANARY
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